

SN 10/784,440

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Hashem Mohammad Ebrahimi et al.	Examiner:	Unknown
Serial No.:	10/784,440	Group Art Unit:	2131
Filed:	February 23, 2004	Docket:	1565.068US1
Title:	TECHNIQUES FOR SECURELY MANAGING AND ACCELERATING DATA DELIVERY		

REQUEST TO RE-MAIL OFFICE ACTION AND RE-START PERIOD FOR REPLY

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Applicants discovered that a Non-Final Office Action was mailed on October 15, 2007 after Applicants' Representative, Joseph Mehrle, received a telephone call from a U.S. Patent Office Representative, Amy Swisher, on June 9, 2008 regarding the status of the above-identified patent application. Applicants respectfully submit that the Non-Final Office Action was never received by Applicants' Representatives, even though the address as listed on the face page of the Non-Final Office Action, as viewed in Private PAIR on June 9, 2008, is correct. Applicants respectfully request that the Non-Final Office Action be re-mailed and that the time period for reply to the Non-Final Office Action be re-started.

A summary of key events as known to Applicants upon discovering the existence of the Non-Final Office Action issued in the present application is as follows:

- 1.) On June 9, 2008, Applicants' Representative, Joseph Mehrle, received a telephone message from U.S. Patent Office Representative, Amy Swisher, inquiring whether Applicants intended to abandon the present application. Applicants' Representatives left a telephone message for Amy Swisher to indicate that Applicants did not and do not intend to abandon the present application.
- 2.) Further on June 9, 2008, Applicants' Representatives reviewed Private PAIR and discovered the Non-Final Office Action that was indicated to have been mailed on October 15, 2007. The address as listed on the face page of the Office Action also reviewed and was correct.

- 3.) Applicants' Representative was further advised by Amy Swisher to contact the SPE, Gilberto Baron, regarding how to proceed and rectify this matter.
- 4.) The SPE, Gilberto Baron, advised Applicants' Representatives that a request to re-mail and re-start would be required in this matter, since the address as listed on the Office Action was correct and the present application is not abandoned.

SHOWING TO ESTABLISH NONRECEIPT OF ORIGINAL NON-FINAL OFFICE ACTION

Searches of the file jacket and docket records for Applicants' Representatives, Schwegman, Lundberg & Woessner P.A. indicate that the Non-Final Office Action dated October 15, 2007 was not received.

A copy of the Schwegman, Lundberg & Woessner P.A. docket record (showing all Non-Final Office Actions received) for the period between the date of October 15, 2007 mailing of the Non-Final Office Action and the date of the telephone call from U.S. Patent Office Representative, Amy Swisher (June 9, 2008) is included as Exhibit A.

In support of Applicants' assertion that the Non-Final Office Action was not received, Applicants note that the serial number of the present application, 10/784,440, does not appear on the docket report containing records of all Non-Final Office Actions received between October 15, 2007 and June 9, 2008.

Accordingly, Applicants respectfully request that the time period for reply to the Non-Final Office Action be re-started.

Conclusion

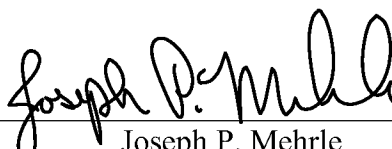
Applicant respectfully submits that the claims are in condition for allowance and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney at (513) 942-0224 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

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Date June 13, 2008

By /  /
Joseph P. Mehrle
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